## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS TYLER DIVISION

## STIPULATION TO DISMISS THE SAGE GROUP, PLC

Plaintiff Aloft Media LLC ("Aloft"), and Defendant The Sage Group, plc, pursuant to Fed. R. Civ. P. 29, hereby stipulate as follows:

The Sage Group, plc represents that it does not make, use, sell, offer to sell or import for sale in the United States any of the products accused of infringement in the Third Amended Complaint or any products that are substantially similar;

The Sage Group, plc represents that it will not file a declaratory judgment action with respect to U.S. Patent Nos. 6,901,393 and 7,401,059 against Aloft;

The Sage Group, plc agrees to cooperate in responding to any discovery request served on Sage Software, Inc. to the extent responsive discovery is in the possession of The Sage Group, plc; and

Aloft agrees to dismiss without prejudice its claims against The Sage Group, plc set forth in the Third Amended Complaint for Patent Infringement pursuant to Fed. R. Civ. P. 41.

The Sage Group, plc agrees that if Aloft contends that discovery later shows that The Sage Group, pls is making, using, selling, offering for sale or importing accused products or products substantially similar to the accused products in the United States, The Sage Group plc will not raise this stipulation in any opposition to a motion to add The Sage Group, plc to the complaint.

Dated: October 20, 2008

Texas Bar No. 00790215
ALBRITTON LAW FIRM
P.O. Box 2649

Longview, Texas 75606 Telephone: (903) 757-8449 Facsimile: (903) 758-7397 ema@emafirm.com

Thomas John Ward, Jr.
Texas Bar No. 00794818
WARD & SMITH LAW FIRM
P O Box 1231
Longview, TX 75606-1231
Telephone: (903) 757-6400
Facsimile: (903) 757-2323
jw@jwfirm.com

Scott Stevens
State Bar No. 00792024
Kyle J. Nelson
State Bar No. 24056031
STEVENS LAW FIRM
P.O. Box 807
Longview, Texas 75606
Tel: 903-753-6760
Fax: 903-753-6761
scott@seslawfirm.com
kyle@seslawfirm.com

Danny L. Williams Texas Bar No. 21518050 Chris Cravey

Texas Bar No. 24034398
Matthew R. Rodgers
Texas Bar No. 24041804
WILLIAMS, MORGAN &
AMERSON, P.C.
10333 Richmond, Suite 1100
Houston, Texas 77042
Telephone: (713)934-4060
Facsimile: (713) 934-7011
danny@wmalaw.com
ccravey@wmalaw.com
mrodgers@wmalaw.com

ATTORNEYS FOR PLAINTIFF ALOFT MEDIA, LLC

Dated: October 20, 2008

W. Chad Shear Texas Bar No. 24013493 FISH & RICHARDSON P.C. 1717 Main Street, Suite 5000 Dallas, TX 75201 (214) 747-5070 (Telephone) (214) 747-2091 (Facsimile) shear@fr.com

WChol Slew 28 Jeel

ATTORNEYS FOR THE SAGE GROUP, PLC